

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-02250-TSC**

DEMOCRACY FORWARD FOUNDATION v. U.S.
DEPARTMENT OF THE TREASURY
Assigned to: Judge Tanya S. Chutkan
Cause: 05:552 Freedom of Information Act

Date Filed: 10/31/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**DEMOCRACY FORWARD
FOUNDATION**

represented by **Javier M. Guzman**
DEMOCRACY FORWARD
FOUNDATION
P.O. Box 34553
Washington, DC 20043
(202) 448-9090
Email: jguzman@democracyforward.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Adam Anderson Grogg
U.S. HOUSE OF REPRESENTATIVES
Office of General Counsel
219 Cannon House Office Building
Washington, DC 20515
(202) 225-9700
Email: adam.grogg@mail.house.gov
TERMINATED: 08/08/2019

Josephine T. Morse
U.S. HOUSE OF REPRESENTATIVES
Office of General Counsel
219 Cannon House Office Building
Washington, DC 20515
(202) 225-9700
Email: jodie.morse@mail.house.gov
TERMINATED: 05/01/2019

Skye L. Perryman
DEMOCRACY FORWARD
FOUNDATION
P.O. Box 34553
Washington, DC 20043
(202) 448-9090
Email: sperryman@democracyforward.org
TERMINATED: 04/16/2018

V.

Defendant

**U.S. DEPARTMENT OF THE
TREASURY**

represented by **Scott Leeson Sroka**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-7113
Fax: (202) 252-2599
Email: scott.sroka@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----------|--|
| 10/31/2017 | <u>1</u> | COMPLAINT for Injunctive Relief against TREASURY DEPARTMENT (Filing fee \$ 400 receipt number 0090-5183855), CIVIL COVER SHEET by DEMOCRACY FORWARD FOUNDATION, REQUEST FOR SUMMONS TO ISSUE filed by DEMOCRACY FORWARD FOUNDATION. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Civil Cover Sheet, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(Perryman, Skye) (Entered: 10/31/2017) |
| 11/01/2017 | <u>2</u> | MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Josephine T. Morse, :Firm- Democracy Forward Foundation, :Address- 1333 H Street NW Washington DC 20005. Phone No. - (202) 448-9090. Filing fee \$ 100, receipt number 0090-5186255. Fee Status: Fee Paid. by DEMOCRACY FORWARD FOUNDATION (Attachments: # <u>1</u> Declaration of Josephine T. Morse)(Perryman, Skye) (Entered: 11/01/2017) |
| 11/06/2017 | <u>3</u> | NOTICE of Errata by DEMOCRACY FORWARD FOUNDATION re <u>1</u> Complaint,, Cover Sheet,, Request for Summons to Issue, (Attachments: # <u>1</u> Exhibit Corrected Complaint)(Perryman, Skye) (Entered: 11/06/2017) |
| 11/06/2017 | | Case Assigned to Judge Tanya S. Chutkan. (zsb) (Entered: 11/06/2017) |
| 11/06/2017 | <u>4</u> | SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF THE TREASURY, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 11/06/2017) |
| 11/07/2017 | | MINUTE ORDER: Granting <u>2</u> Motion for Leave to Appear Pro Hac Vice. Josephine Thacher Morse is hereby admitted pro hac vice to appear in this matter on behalf of Plaintiff. Signed by Judge Tanya S. Chutkan on 11/7/17. (DJS) (Entered: 11/07/2017) |
| 11/30/2017 | <u>5</u> | NOTICE of Proof of Service by DEMOCRACY FORWARD FOUNDATION re <u>1</u> Complaint,, Cover Sheet,, Request for Summons to Issue, (Attachments: # <u>1</u> Declaration of Deborah Won)(Perryman, Skye) (Entered: 11/30/2017) |
| 11/30/2017 | <u>6</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF THE TREASURY served on 11/13/2017, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/13/2017., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/13/2017. (Answer due for ALL FEDERAL DEFENDANTS by 12/13/2017.) (See Docket Entry <u>5</u> to view document). (znmw) (Entered: 12/01/2017) |
| 12/13/2017 | <u>7</u> | NOTICE of Appearance by Scott Leeson Sroka on behalf of All Defendants (Sroka, Scott) (Entered: 12/13/2017) |
| 12/13/2017 | <u>8</u> | ANSWER to <u>1</u> Complaint by U.S. DEPARTMENT OF THE TREASURY.(Sroka, Scott) Modified to add link on 12/14/2017 (znmw). (Entered: 12/13/2017) |
| 12/13/2017 | | MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues and that contains a proposed schedule and proposed order not later than 1/19/18. Signed by Judge Tanya S. Chutkan on 12/13/17. (DJS) (Entered: 12/13/2017) |
| 12/14/2017 | | Set/Reset Deadlines: Joint Status Report due by 1/19/2018. (tb) (Entered: 12/14/2017) |
| 01/19/2018 | <u>9</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF THE TREASURY. (Sroka, Scott) (Entered: 01/19/2018) |

| | | |
|------------|-----------|---|
| 01/22/2018 | | MINUTE ORDER: Having considered the parties' joint status report <u>9</u> it is hereby ordered that the parties shall file another joint status report AND A PROPOSED ORDER by February 20, 2018. Signed by Judge Tanya S. Chutkan on 1/22/18. (DJS) (Entered: 01/22/2018) |
| 01/23/2018 | | Set/Reset Deadlines: Joint Status Report due by 2/20/2018. (tb) (Entered: 01/23/2018) |
| 01/26/2018 | <u>10</u> | NOTICE of Errata by DEMOCRACY FORWARD FOUNDATION re Order on Motion for Leave to Appear Pro Hac Vice (Attachments: # <u>1</u> Errata Letter to Clerk of Court)(Perryman, Skye) (Entered: 01/26/2018) |
| 02/20/2018 | <u>11</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF THE TREASURY. (Sroka, Scott) (Entered: 02/20/2018) |
| 02/26/2018 | | MINUTE ORDER: Having considered the parties' Joint Report <u>11</u> , it is hereby ordered that Defendant shall make its first production of documents to Plaintiff no later than February 28, 2018, and that additional productions shall follow on a rolling basis every 30 days thereafter until production is complete. The Parties shall file a joint status report and proposed order by April 30, 2018. Signed by Judge Tanya S. Chutkan on 2/26/18. (DJS) (Entered: 02/26/2018) |
| 02/27/2018 | | Set/Reset Deadlines: Joint Status Report due by 4/30/2018. (tb) (Entered: 02/27/2018) |
| 04/16/2018 | <u>12</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Adam Anderson Grogg on behalf of DEMOCRACY FORWARD FOUNDATION Substituting for attorney Skye L. Perryman (Grogg, Adam) (Entered: 04/16/2018) |
| 04/30/2018 | <u>13</u> | NOTICE of Appearance by Josephine T. Morse on behalf of DEMOCRACY FORWARD FOUNDATION (Morse, Josephine) (Entered: 04/30/2018) |
| 04/30/2018 | <u>14</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF THE TREASURY. (Sroka, Scott) (Entered: 04/30/2018) |
| 05/03/2018 | | MINUTE ORDER: Having considered the parties' joints status report <u>14</u> it is hereby ordered that the parties shall file another joint report by July 13, 2018 and every sixty days thereafter. To the extent the report contains a proposed briefing schedule the parties shall include a proposed order. Signed by Judge Tanya S. Chutkan on 5/3/18. (DJS) (Entered: 05/03/2018) |
| 05/04/2018 | | Set/Reset Deadlines: Joint Status Report due by 7/13/2018. (tb) (Entered: 05/04/2018) |
| 07/12/2018 | <u>15</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF THE TREASURY. (Sroka, Scott) (Entered: 07/12/2018) |
| 09/11/2018 | <u>16</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF THE TREASURY. (Sroka, Scott) (Entered: 09/11/2018) |
| 11/13/2018 | <u>17</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF THE TREASURY. (Sroka, Scott) (Entered: 11/13/2018) |
| 01/10/2019 | <u>18</u> | Unopposed MOTION to Stay , MOTION for Extension of Time to <i>in Light of Lapse in Appropriations</i> by U.S. DEPARTMENT OF THE TREASURY (Attachments: # <u>1</u> Text of Proposed Order)(Hudak, Brian) (Entered: 01/10/2019) |
| 01/17/2019 | | MINUTE ORDER: Granting <u>18</u> Motion to Stay; Granting <u>18</u> Motion for Extension of Deadlines. This action is STAYED until appropriations are restored to the Department of Justice and the Department of the Treasury. All pending deadlines in this action are hereby extended for a period of time equal to the calendar day duration of the lapse in appropriations. Defendant shall file a status report within seven (7) calendar days after Congress has appropriated funds for the above noted agencies, notifying the parties and the Court that the lapse has ceased and what Defendant understands to be the new deadlines for pending matters consistent with the extension granted by this order. Signed by Judge Tanya S. Chutkan on 1/17/19. (DJS) (Entered: 01/17/2019) |
| 02/01/2019 | <u>19</u> | NOTICE of Restored Government Funding by U.S. DEPARTMENT OF THE TREASURY re Order on Motion to Stay,,, Order on Motion for Extension of Time to,, (Sroka, Scott) (Entered: 02/01/2019) |

| | | |
|------------|-----------|---|
| 02/19/2019 | <u>20</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF THE TREASURY. (Sroka, Scott) (Entered: 02/19/2019) |
| 02/27/2019 | | MINUTE ORDER LIFTING STAY: Having considered the Defendant's Notice of Restored Government Funding <u>19</u> and the parties' joint status report <u>20</u> , the previously imposed stay is hereby lifted. It is hereby ordered that the parties shall file another joint status report by 4/19/19, and every 60 days thereafter. To the extent the parties propose a production schedule and/or briefing schedule, the status report shall include a proposed order. Signed by Judge Tanya S. Chutkan on 2/27/19. (DJS) (Entered: 02/27/2019) |
| 04/11/2019 | <u>21</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF THE TREASURY. (Sroka, Scott) (Entered: 04/11/2019) |
| 05/01/2019 | <u>22</u> | NOTICE OF WITHDRAWAL OF APPEARANCE as to DEMOCRACY FORWARD FOUNDATION. Attorney Josephine T. Morse terminated. (Morse, Josephine) (Entered: 05/01/2019) |
| 06/19/2019 | <u>23</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF THE TREASURY. (Sroka, Scott) (Entered: 06/19/2019) |
| 08/08/2019 | <u>24</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Javier M. Guzman on behalf of DEMOCRACY FORWARD FOUNDATION Substituting for attorney Adam Grogg (Guzman, Javier) (Entered: 08/08/2019) |
| 08/15/2019 | <u>25</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF THE TREASURY. (Sroka, Scott) (Entered: 08/15/2019) |
| 08/15/2019 | | MINUTE ORDER: The parties shall file a Joint Status Report by September 19, 2019, which shall include a recommendation for further proceedings. Signed by Judge Tanya S. Chutkan on 8/15/2019. (lctsc3) (Entered: 08/15/2019) |
| 08/20/2019 | | Set/Reset Deadlines: Joint Status Report due by 9/19/2019. (tb) (Entered: 08/20/2019) |
| 09/11/2019 | <u>26</u> | MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Michael C. Martinez, :Firm– Democracy Forward Foundation, :Address– 1333 H Street, NW, Washington, DC 20005. Phone No. – (202) 701–1788. Filing fee \$ 100, receipt number 0090–6371206. Fee Status: Fee Paid. by DEMOCRACY FORWARD FOUNDATION (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Guzman, Javier) (Entered: 09/11/2019) |